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Gunther O. Hanke, Reg. No. 32,989

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appln. No. : 10/807,650 Confirmation No. 3900
Applicant : Kenneth L. Wantink
Filed : March 24, 2004
Art Unit : 3763
Examiner : Thompson, Michael M.
Title : CATHETER HAVING IMPROVED RAPID EXCHANGE
JUNCTION

Docket No.: : ACSC 68184 (2872C3) Los Angeles, California
Customer No. : 24201 November 9, 2004

Mail Stop AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TERMINAL DISCLAIMER TO OBVIATE

A DOUBLE PATENTING REJECTION (37 C.F.R. § 1.321(c))

Dear Sir:

The owner, Advanced Cardiovascular Systems, Inc., of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. §§ 154 to 156 and 173, as presently shortened by any terminal disclaimer, of claims 1-3 of prior U.S. Patent No. 6,746,423 issued to Kenneth L. Wantink on June 8, 2004. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent(s) are commonly owned. This

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agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.


In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. §§ 154 to 156 and 173 of the prior patent(s), as presently shortened by any terminal disclaimer, in the event that either later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321(c), has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

The terminal disclaimer fee under 37 C.F.R. § 1.20(d) in the amount of \$110.00 is enclosed herewith. Please charge any additional fees or credit any overpayment to Deposit Account No. 06-2425. A duplicate of this paper is enclosed.

The undersigned is an attorney of record.

Respectfully submitted,

FULWIDER PATTON LEE & UTECHT, LLP

By: 
Gunther O. Hanke
Registration No. 32,989

GOH:kh

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70827.1



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FEE TRANSMITTAL for FY 2005

Effective 10/01/2004. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) \$110.00

Complete if Known

Application Number	10/807,650
Filing Date	March 24, 2004
First Named Inventor	Kenneth L. Wantink
Examiner Name	Thompson, Michael M.
Art Unit	3763
Attorney Docket No.	ACSC 68184 (2872C3)

METHOD OF PAYMENT (check all that apply)		FEE CALCULATION (continued)																																											
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FEE CALCULATION																																													
1. BASIC FILING FEE																																													
<table><tr><th>Large Entity</th><th>Small Entity</th><th>Fee Code</th><th>Fee (\$)</th><th>Fee Description</th><th>Fee Paid</th></tr><tr><td>1001</td><td>2001</td><td>790</td><td>395</td><td>Utility filing fee</td><td></td></tr><tr><td>1002</td><td>2002</td><td>350</td><td>175</td><td>Design filing fee</td><td></td></tr><tr><td>1003</td><td>2003</td><td>550</td><td>275</td><td>Plant filing fee</td><td></td></tr><tr><td>1004</td><td>2004</td><td>790</td><td>395</td><td>Reissue filing</td><td></td></tr><tr><td>1005</td><td>2005</td><td>160</td><td>80</td><td>Provisional filing fee</td><td></td></tr><tr><td colspan="5">SUBTOTAL (1)</td><td>(\$)</td></tr></table>		Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Description	Fee Paid	1001	2001	790	395	Utility filing fee		1002	2002	350	175	Design filing fee		1003	2003	550	275	Plant filing fee		1004	2004	790	395	Reissue filing		1005	2005	160	80	Provisional filing fee		SUBTOTAL (1)					(\$)		
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SUBMITTED BY		Complete (if applicable)	
Name	Gunther O. Hanke	Registration No. (Attorney/Agent)	32,989
Signature		Telephon	(310) 824-5555
		Date	November 9, 2004

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This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.
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